

**PUBLIC WORKS & FACILITIES COMMISSION  
REGULAR MEETING  
WEDNESDAY, JULY 13, 2016  
TIME: 7:00 P.M.  
MUNICIPAL BUILDING  
ROOM 208  
MIDDLETOWN, CT**

**Members Present:** Councilman Carl R. Chisem  
Councilman Thomas Serra  
Councilman Gene Nocera  
Councilman Sebastian Giuliano  
Councilman Philip Pessina

**Staff Present:** William Russo, Director of Public Works  
Christopher Holden, Deputy Director of Public Works  
Tina Gomes, Chief Management Analyst  
Brig Smith, General Counsel  
Brian Young, Parks Department Supervisor  
Vincent Loffredo, Chair, Board of Education Facilities Committee  
Deborah Cain, Chair of Board of Education Facilities Committee  
Dr. Pat Charles, Superintendent, Board of Education  
David Bauer, Board of Education Facilities Committee  
Tom Marano, Economic Development Specialist

**Others:** Don Brutnell, Marlborough Resident  
Gary Keating, Middletown Resident  
Danny Cronin, Middletown Resident

Chair Chisem opened the Public Works & Facilities Commission meeting at 7:00 P.M. Chair Chisem requested a motion to approve the minutes dated June 13, 2016. Motion to approve the minutes was seconded and approved unanimously.

**PUBLIC COMMENT ON AGENDA ITEMS:**

Tom Marano, Economic Development Specialist, commented on the renaming of the Remington Building. He wanted to educate the commission on the process and how the name was arrived at. He introduced Gary Keating and stated that he will be explaining R.M. Keating's roll in the City. Gary sent a letter to the City about a year ago requesting the change in name to the Remington Building. A committee consisting of local historians and others interested was formed shortly after receipt of the letter. At the last EDC meeting, a list with several names and words were discussed. After the discussion was held, a combination of honoring the history along with the building being located in the enterprise zone, the name "R.M. Keating Historical Enterprise Park" was decided upon. Mr. Keating, a great inventor and handyman, built the building back in 1905.

Gary Keating, Middletown Resident, stated that he is not a relative of Mr. Robert M. Keating. He gave most of the historical background of Mr. Keating and named some financial aspects that he has helped the City of Middletown with. Gary believes that Mr. Keating is not recognized enough for all that he has done for the City years ago and that not many people even know he existed.

Don Brutnell, great nephew of Mr. Keating, restated all that he has accomplished and created once again. Don is one of the seven existing great nieces and nephews and said that they are all very proud of him. They would greatly appreciate seeing his name on the Remington Building.

Director Russo stated that the Economic Development Commission asked Danny Cronin to come speak at the meeting, hence why the discussion is not on the agenda. A motion was made to waive the rules to add Danny Cronin to the agenda. Motion was seconded and approved unanimously.

Danny stated that the objective is trying to spur some activity in the Harbor Park area other than the annual fireworks. An event called Fusion Inclusion is being proposed. This will leverage the diversity and the success of Middletown in terms of developing Main Street to having an amazing community. The celebration will be on September 17, 2016 for a full day event of dancing and music. This will utilize all of Harbor Park with the intent of bringing together the various communities of Middletown both with music, dance, and a variety of different types of foods. Danny asked for the help of Public Works and Parks to work with him to enable this events occurrence. The commission decided to discuss this item later on in the meeting.

**CORRESPONDENCE:**

None.

**NEW BUSINESS:**

Councilman Serra made a motion to move item 5a to the end of the 'New Business' discussions. Motion was seconded and approved unanimously.

- a. B.O.E. Facilities Commission – Director Russo thanked the Board of Education & Facilities Committee for coming to the meeting and for the shared use of their facilities. The track will be designated first to Woodrow Wilson Middle School. The track will be closed off by schedule through the Parks Department when the students need to use it. The Middletown residents also request use of the track for their personal leisure. There will be a walking trail along the entire facility. Based on the calls received, the goal is to make this facility open to the public once the children have come and gone.

City Attorney, Brig Smith, mentioned that there are a couple of legal issues. From a labor law standpoint, it needs to be clear which employees will be in charge of each task related to the facilities functions. Local 466 is the union of jurisdiction in this situation, regardless of whether or not they are on the board's side or the City's side. Consequently, the continuation on working with the union will be well served.

Brig brought up the Education Law. There are a couple provisions of the education statute which help guide the relationship between the City and the Board as it relates to facilities. The basic education statute, Duties of Boards of Education 10-220, have a number of duties and powers. These include the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes. At all times this shall insure all such buildings and all capital equipment contained therein against loss.

There is also a sub-supervision on the education statute, Instructional time and facility usage assessment 10-221G. This states that "each local and regional board of education shall conduct an instructional time and facility usage assessment in order to maximize student learning and community use of facilities. For purposes of such audit, the superintendent of schools of each school district shall meet regularly with representatives from the public

library and the recreation department in the town or towns that comprise the school district to coordinate the availability of facilities.”

Brig stated that there is an affirmative statutory duty to have this discussion to make sure that the coordination on the availability of the facilities is conducted properly. The Mayor is aware of the issue and is planning on reaching out to Dr. Charles to talk through the details to try to implement something that will work for all.

Councilman Serra specified that this issue is initiated by the City side. The City side should make this Commission and the Board aware on the concerns relative to usage. The Council and the Board can then react to it. The restrictions relative to law and the usage with the Board have been discussed but the City side needs to be clearer on their needs.

Councilman Nocera brought up the concern with the regulation on the practices such as the scheduling for the tennis courts and the track along with Pat Kidney Field. Needs, restrictions and expectations were discussed further. Director Russo stated that he is going to reach out to the 21<sup>st</sup> Century Committee on their opinions once there is a quorum for the next meeting.

The members of the Board of Education Facilities Commission are more than willing to cooperate with the functionality of the shared usage of their facilities considering the complex program within the schools and outside the schools.

A motion was made that an establishment shall be made which states the needs of the Parks and Recreation Departments relative to the usage of the fields. The Board and the City Attorney will then be able to react towards an outcome when there is a clearer picture. Motion was seconded and approved unanimously.

- b. Wesleyan Tennis Court Lease Agreement – Director Russo stated that he asked the City Attorney, Brig Smith, to attend the meeting to discuss the bond for the Wesleyan Tennis Courts since he is familiar with previous discussions. Brig updated the commission on the proposed resolution which is suitable to move forward to the Council. He also spoke in regards to the latest draft lease.

The City will be looking at doing a bond for \$750,000.00 along with Wesleyan University which will be doing the same amount. This is to build eight new tennis courts to go in conjunction with the eight existing courts. The existing courts were refurbished in 2011. \$743,000.00 will go to the project and the other funds will go to administrative costs and bond council.

There will then be a fifteen year lease with Wesleyan University to use the courts. The City will have primary use of the “A courts” which are the existing courts. These are closest to the parking lot. The “B courts” will be the newly constructed tennis courts. The City will have the right of first access to the B courts as Wesleyan will have first access to the A courts.

There is proposed protection over the fifteen year life of the lease. The City would be entitled to a pro-rated refund based on the years remaining under the lease for a breach by

Wesleyan, and would have the option to negotiate additional years and terms at the end of the lease. The money is needed up front in order for this refund to take effect when needed.

A motion was made to leave this item on the agenda as there is more to be discussed as far as legal rights and fees for the use of the courts. Motion was seconded and approved unanimously. Councilman Serra made a motion stating that if everything is in order by August and the council has all terms completed in the committee's interest as discussed, a resolution can then be completed. Motion was seconded and approved unanimously.

- c. Re-naming of Remington Building to: R.M. Keating Historical Enterprise Park – A motion was made to move approval of the name R.M. Keating Historical Enterprise Park. Motion was seconded and approved unanimously.
- d. Naming of Tennis Courts – Director Russo stated that he included information in the agenda regarding the history of Middletown High tennis for the possible future naming of the Newtown Street Tennis Courts. Councilman Serra suggested that the names of the individuals and designates of sports that have had history in the City of Middletown shall be added to the list. These names can be entertained when it comes time for the naming of the courts. Councilman Pessina also made a recommendation that the 21<sup>st</sup> Century Parks Committee make a list for submittal first to the Public Works and Facilities Commission.

A motion was made that Director Russo come up with a list of recommendations, bring them to the 21<sup>st</sup> Century Parks Committee for selection and then bring it back to this commission for further discussion. Motion was seconded and approved unanimously.

- e. Basketball Hoops Purchase for Donovan Park – Director Russo stated that any project that has to do with spending money that does not have a committee assigned, the Public Works & Facilities Commission is deemed responsible for any decisions made along with the authorization of purchases. The company used for the purchase is out of Dallas, BSN, and the material can be purchased directly based on bidding through the State.

Tina Gomes, Chief Management Analyst, was in charge of the correspondence for the purchases and the pricing. Each individual hoop costs \$2,200.00. After doing some research, Tina found that the company deals directly with Wal-Mart for a total cost of \$1,800.00. After calling the company, Tina educated them on the research she conducted on their pricing. They agreed to sell the hoops to the City for \$1,750.00, which in turn equals out to one free hoop with the total of four hoops purchased.

A motion was made to move approval for the purchase of the basketball hoops for Donovan Park. Motion was seconded and approved unanimously.

- f. CNR Purchase – Bucket Truck – Director Russo gave a brief history on the purchase of the bucket truck. He stated that Brian Young, Parks Superintendent, uses a bucket truck for holiday decorations. The City Yard uses the bucket truck to hang the banners on Main Street along with other various projects. The Fire Department uses the truck as well. The old truck that was originally used by the Fire Department was taken off of the road in the past.

The purchase of the new bucket truck will be used by all three departments as a shared service and will be stored at the City Yard. The commission recommended splitting the funds evenly three ways. Tina Gomes recommended sending the CNR purchase to the Finance and Government Commission for final decision.

A motion was made to endorse this purchase and send it to the Finance and Government Commission to ensure that the CNR funds will cover the purchase along with the proper distribution between the three departments for payment. Motion was seconded by Councilman Giuliano and approved unanimously.

- g. Building Permit Refund - \$200.64, Aiello Home Services – Motion was made to move approval for the building permit refund. Motion was seconded and approved unanimously.

**OLD BUSINESS:**

- a. June 2016 Public Works Overtime Report – The commission reviewed their overtime report for the Public Works Department.
- b. June 2016 Building Permits – Director Russo stated that the Building Department collected \$1,200,000.00 of the total projected \$570,000.00 in building permits. A total of \$720,000.00 of building permits came in outside of the FedEx permit.

**OTHER:**

- a. June 2016 Monthly Report – Highway Division – The commission reviewed their monthly report for the highway division.
- c. June 2016 Overtime Report – Parks Division – The commission reviewed their monthly report for the parks division. Director Russo mentioned that there is a small amount of overtime occurring in the Parks Department.

**PUBLIC COMMENT ON NON-AGENDA ITEMS:**

None.

As there was no further discussion, the Public Works & Facilities Commission meeting adjourned at 8:19 P.M.